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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,913	10/10/2003	Timothy P. Blair	200300432-1	3073

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EXAMINER	
BHAT, ADITYA S	

ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H-A

Office Action Summary	Application No.	Applicant(s)	
	10/683,913	BLAIR ET AL.	
	Examiner	Art Unit	
	Aditya S. Bhat	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

4a) Of the above claim(s) *8,13,29 and 33* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9-12, 14-28, 30-32, and 34-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7, 9-12, 14-28, 30-32, and 34-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narasimhan et al. (USPN 6,446,192) in view of Perholtz et al. (USPN 5,732,212).

With regards to claim 1, Narasimhan et al. (USPN 6,446,192) discloses an appliance for monitoring equipment comprising:

first means for receiving data from said equipment; (Col. 3, line 3)

second means for receiving a set of configuration data, wherein said second means includes a communication module; (32;figure 1A) and

third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services. (Col.5, lines 49-62)

With regards to claim 2 and 29, Narasimhan et al. (USPN 6,446,192) discloses said third means includes:

software for processing said equipment data, said software including one or more software components, each software component for performing an optional service; (Col.5,lines 49-62) fourth means for storing said software; (86;figure 12) and

fifth means for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components. (72;figure 12)

With regards to claim 3, Narasimhan et al. (USPN 6,446,192) discloses fourth means is a memory. (86;figure 12)

With regards to claim 4, Narasimhan et al. (USPN 6,446,192) discloses memory is also adapted to store said configuration data. (86;figure 12)

With regards to claim 5, Narasimhan et al. (USPN 6,446,192) discloses a fifth means is a processor. (72;figure 12)

With regards to claim 6, Narasimhan et al. (USPN 6,446,192) discloses a first means includes one or more data ports. (Col.3, lines 2-3)

With regards to claim 7, Narasimhan et al. (USPN 6,446,192) discloses data ports are also adapted to transmit data to said equipment. (Col.3, lines 1-4)

With regards to claim 9, Narasimhan et al. (USPN 6,446,192) discloses means for transmitting data to a remote system. (32;figure 1A)

With regards to claim 10, Narasimhan et al. (USPN 6,446,192) discloses means for receiving new or upgraded software components. (72;figure 12) (Col. 2, lines 63-64)

With regards to claim 11, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (Col. 2, lines 32-33)

With regards to claim 16, Narasimhan et al. (USPN 6,446,192) discloses the communication module is coupled to an Internet connection. (Col.6, line 48-51)

With regards to claim 17, Narasimhan et al. (USPN 6,446,192) discloses the communication module is coupled to a dial-up connection. (Col.6, line 51)

With regards to claim 18, Narasimhan et al. (USPN 6,446,192) discloses the communication module is coupled to a wireless connection. (Col.6, line 51)

With regards to claim 19, Narasimhan et al. (USPN 6,446,192) discloses the appliance is a stand-alone device separate from said equipment. (20; figure 1A)

With regards to claim 20, Narasimhan et al. (USPN 6,446,192) discloses the equipment includes one or more printers. (Col. 2, line 66)

With regards to claim 21, Narasimhan et al. (USPN 6,446,192) discloses an appliance for monitoring equipment comprising:

a data port for receiving data from said equipment; (Col.3, line 3)

a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components; (Col.1, lines 62-63)

a memory for storing said software components; (86;figure 12)and

a processor for executing said software components in accordance with said configuration data. (72;figure 12)

With regards to claim 22, Narasimhan et al. (USPN 6,446,192) discloses an appliance for monitoring one or more office equipment devices comprising:

a data port for receiving data from said equipment; (Col.3, line 3)

software adapted primarily for monitoring said devices, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service; (Col.1, lines 62-63)

a communication module for receiving a set of configuration data adapted to enable or disable said software components, wherein said software components comprise at least software with instructions for monitoring a different appliance; (90; figure 12)

a memory for storing said software; (86;figure 12)and

a processor for executing said software in accordance with said configuration data. (72;figure 12)

With regards to claim 23, Narasimhan et al. (USPN 6,446,192) discloses a system for monitoring equipment comprising:

one or more monitoring appliances adapted to monitor said equipment, each monitoring appliance including:

first means for receiving data from said equipment; (Col. 3, line 3)

second means for receiving a set of configuration data; (32;figure 1A)and

third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services; (Col.5, lines 49-62) wherein said third means includes:

software for processing said equipment data, said software including one or more software components, each software component for performing an optional service, wherein said software component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and storing said configuration data; (Col. 3. lines 48-52) and

a memory for storing said software; (col. 3, line 53-54) and

a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components; (Col. 5 lines 21-22) and

fourth means for transmitting said configuration data to said monitoring appliances. (20;figure 1A)

With regards to claim 24, Narasimhan et al. (USPN 6,446,192) discloses a fourth means includes a central server. (20;figure 1A)

With regards to claim 25, Narasimhan et al. (USPN 6,446,192) discloses a central server includes a first database of configuration data for the monitoring appliances. (86;figure 12)

With regards to claim 26, Narasimhan et al. (USPN 6,446,192) discloses a user can change which services in a monitoring appliance are enabled or disabled by modifying the configuration data for that monitoring appliance stored in said first database. (Col.1, lines 62-63)

With regards to claim 27, Narasimhan et al. (USPN 6,446,192) discloses a central server includes an application for modifying the configuration data stored in said first database. (20;figure 1A)

With regards to claim 28, Narasimhan et al. (USPN 6,446,192) discloses an application is a web application. (Col. 5, lines 63-64)

With regards to claim 30, Narasimhan et al. (USPN 6,446,192) discloses a central server includes a second database of new or upgraded software components. (Col.5, lines 60-62)

With regards to claim 31, Narasimhan et al. (USPN 6,446,192) discloses monitoring appliances further include means for receiving new or upgraded software components from said central server.(Col. 1, lines 59-64)

With regards to claim 32, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (72;figure 12) (Col. 2, lines 63-64)

With regards to claim 37, Narasimhan et al. (USPN 6,446,192) discloses a system for monitoring office equipment comprising:

one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:

a data port for receiving data from said equipment; (Col. 7, lines 39-40)

appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance; (Col.1, lines 62-64)

a first communication module for receiving a set of configuration data adapted to enable or disable said software components; (64; figure 12)

a first memory for storing said appliance software; (74; figure 12)and

a first processor for executing said software in accordance with said configuration data; and a central server including:

server software for controlling the communication of data to and from said monitoring appliances; (72; figure 12)

a first database of configuration data for said monitoring appliances; (86; figure 12)

a second memory for storing said server software (68; figure 12)and said first database; (86; figure 12)

a second processor for executing said server software; (66; figure 12)and

a second communication module for transmitting said configuration data to said monitoring appliances. (60; figure 12)

With regards to claim 38, Narasimhan et al. (USPN 6,446,192) discloses an application for modifying the configuration data stored in said first database. (Col. 16, lines 17-18)

With regards to claim 39, Narasimhan et al. (USPN 6,446,192) discloses server further includes a second database of new or upgraded software components. (Col. 16, lines 17-19)

With regards to claim 40, Narasimhan et al. (USPN 6,446,192) discloses first and second communication means are also adapted to download new or upgraded software components from said central server to said monitoring appliances. (Col.2, lines 3-5)

With regards to claim 41, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (72;figure 12) (Col. 2, lines 63-64)

With regards to claim 42, Narasimhan et al. (USPN 6,446,192) discloses system for monitoring office equipment comprising:

one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:

a data port for receiving data from said equipment; (Col.7, lines 39-40)

a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components; (64;figure12)

a first memory for storing said software components; (74 ;figure 12) and

a first processor for executing said software components in accordance with said configuration data; (74;figure 12) and

a central server (20;figure 1A) including:

server software for controlling the communication of data to and from said monitoring appliances; (72;figure 12)

a first database of configuration data for said monitoring appliances; (86;figure 12)

a second database of software components for said monitoring appliances; (74;figure 12)

a second memory for storing said server software and said first and second databases; (68;figure 12) (86;figure 12)

a second processor for executing said server software; (66;figure 12) and

a second communication module for transmitting said configuration data and said software components to said monitoring appliances. (60;figure 12)

With regards to claim 43, Narasimhan et al. (USPN 6,446,192) discloses method for remotely configuring a monitoring appliance for monitoring equipment including the steps of:

storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance; (Col. Lines)

storing, in a central server, configuration data that determines which software components are enabled or disabled; (Col.3, Lines 4-5)

downloading said configuration data from said central server to said monitoring appliance; and (Col.8, Lines 15-18)

With regards to claim 44, Narasimhan et al. (USPN 6,446,192) discloses a user can change which software components are enabled or disabled by modifying the configuration data stored in the central server. (Col.8, Lines 50-54)

With regards to claim 45, Narasimhan et al. (USPN 6,446,192) discloses storing new or upgraded software components in said central server; downloading said new or upgraded software components from said central server to said monitoring appliance; and installing said new or upgraded software components in said appliance. (Col.8, Lines 15-18)

With regards to claim 46, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (Col.8, Lines 15-18)

With regards to claims 1,12,14-15, 23, 34-36 and 43 Narasimhan et al. (USPN 6,446,192) does not appear to disclose an appliance is adapted to restart upon receiving a restart signal from said communication module or a software component which is adapted to restart the monitoring appliance.

Perholtz et al. (USPN 5,732,212) discloses an appliance is adapted to restart upon receiving a restart signal from said communication module.

It would've been obvious to one skilled in the art at the time of the invention to modify the Narasimhan et al. (USPN 6,446,192) invention to include the restart function taught Perholtz et al. (USPN 5,732,212) in order to permit a remote PC to access host processing status information and/or restart the host computer without CPU support from the host PC. (Col. 1, lines 20-23).

Response to Arguments

Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mathiesen et al. (USPUB 2003/0135381) teaches an automated distributed printing system, and Carney et al. (USPN 6,453,268) teaches methods, systems and program for monitoring a device with a computer using user selected monitoring settings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S. Bhat whose telephone number is 571-272-2270. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya Bhat
October 28, 2005

BRYAN BUI
PRIMARY EXAMINER